



ADMINISTRATION AND
MANAGEMENT

OFFICE OF THE SECRETARY OF DEFENSE

1950 DEFENSE PENTAGON
WASHINGTON, DC 20301-1950

January 8, 2009

MEMORANDUM FOR OSD FEDERAL REGISTER LIASON OFFICER
DIRECTORATE FOR EXECUTIVE SERVICES
WASHINGTON HEADQUARTERS SERVICES

SUBJECT: Federal Register Notice – Inland Waterways Users Board

Request the attached Federal Register Notice pertaining to the renewal of the Inland Waterways Users Board be published at the earliest possible date.

If you should have any questions, please contact me at (703) 601-6128.

A handwritten signature in black ink, reading "James D. Freeman II", is positioned above the typed name.

James D. Freeman II
Deputy Committee Management Officer
for the Department of Defense

1 attachment
As stated

DEPARTMENT OF DEFENSE

BILLING CODE 5001-08

Office of the Secretary of Defense

Renewal of Department of Defense Federal Advisory Committees

AGENCY: DoD

ACTION: Renewal of Federal Advisory Committee

SUMMARY: Under the provisions of the Federal Advisory Committee Act of 1972, (5 U.S.C. Appendix, as amended), the Government in the Sunshine Act of 1976 (5 U.S.C. § 552b, as amended), and 41 CFR § 102-3.65, the Department of Defense gives notice that it is renewing the charter for the Inland Waterways Users Board (hereafter referred to as the Board).

The Board is a non-discretionary federal advisory committee established under the provisions of 33 U.S.C. § 2251(a), to provide the Secretary of Defense, through the Secretary of the Army and the Assistant Secretary of the Army for Civil works, independent advice and recommendations on matters relating to construction and rehabilitation priorities and spending levels on the commercial navigational features and components of U.S. inland waterways and inland harbors as defined in Public Law 95-502 and amended by Public Law 99-682. The board shall annually file their recommendations with the Secretary of the Army and with the Congress. The Secretary of the Army or designee may act upon the advice of the Board.

Pursuant to 33 U.S.C. § 2251 (a), the Board shall be composed of eleven members selected by the Secretary of the Army and appointed by the Secretary of Defense. The members shall be selected so as to represent various regions of the country and a spectrum of the primary users and shippers utilizing the inland and intracoastal waterways for commercial purposes. Due

consideration shall be given to assure a balance among the members based on the ton-mile shipments of the various categories of commodities shipped on inland waterways. The Board members shall serve two-year terms, with their appointments renewed on an annual basis. No member, unless otherwise selected by the Secretary of the Army or designee and approved by the Secretary of Defense, shall serve more than four consecutive years on the Board. Appointments vacated prior to the expiration of the term of said appointment shall be filled only for the remainder of the term.

The Secretary of the Army shall choose, and the Secretaries of Agriculture, Transportation, and Commerce may designate, representatives to act as non-voting observers of the Board. In addition, the Secretary of the Army or designee through the Secretary of Defense may appoint consultants with special expertise to assist the Board on an ad hoc basis.

Board Members appointed by the Secretary of Defense, who are not full-time federal officers or employees, shall be appointed as experts and consultants under the authority of 5 U.S.C. § 3109, and shall serve as Special Government employees. Pursuant to 10 U.S.C. §1114(a) (3), the members shall serve with the exception of travel and per diem for official travel without compensation. The Secretary of the Army shall select the Board's Chairman and Vice Chairman from the total membership, and these individuals shall serve at the discretion of the Secretary of the Army or designee. The Vice Chairman will act as Chairman in the absence or incapacity of the Chairman, or in the event of a vacancy in the office of the Chairman.

The Board is authorized to establish subcommittees, as necessary and consistent with its mission, and these Subcommittees or Work Groups shall operate under the provisions of the Federal Advisory Committee Act of 1972, the Government in the Sunshine Act of 1976, and other appropriate federal regulations.

Such subcommittees or Work Groups shall not work independently of the chartered Board, and shall report their recommendations and advice to the Board for full deliberation and discussion. Subcommittees or Working Groups have no authority to make decisions on behalf of the chartered Board nor can they report directly to the Department of Defense or any Federal officers or employees who are not Board Members.

SUPPLEMENTARY INFORMATION: The Board shall meet at the call of the Board's Designated Federal Officer, in consultation with the Board's Chairperson. The Designated Federal Officer, pursuant to DoD policy, shall be a full-time or permanent part-time DoD employee, and shall be appointed in accordance with established DoD policies and procedures. The Designated Federal Officer or duly appointed Alternate Designated Federal Officer shall attend all committee meetings and subcommittee meetings.

Pursuant to 41 CFR §§ 102-3.105(j) and 102-3.140, the public or interested organizations may submit written statements to the Inland Waterways Users Board membership about the Board's mission and functions. Written statements may be submitted at any time or in response to the stated agenda of planned meeting of the Inland Waterways Users Board.

All written statements shall be submitted to the Designated Federal Officer for the Inland Waterways Users Board, and this individual will ensure that the written statements are provided to the membership for their consideration. Contact information for the Inland Waterways Users Board's Designated Federal Officer can be obtained from the GSA's FACA Database – <https://www.fido.gov/facadatabase/public.asp>.

The Designated Federal Officer, pursuant to 41 CFR § 102-3.150, will announce planned meetings of the Inland Waterways Users Board. The Designated Federal Officer, at that time, may provide additional guidance on the submission of written statements that are in response to the stated agenda for the planned meeting in question.

FOR FURTHER INFORMATION: Contact Jim Freeman, Deputy Committee Management Officer for the Department of Defense, 703-601-6128.

L. M. BYNUM
Alternate OSD Federal Register
Liaison Officer
Department of Defense